

Message Text

LIMITED OFFICIAL USE

PAGE 01 NEW DE 05359 211635Z

51

ACTION NEA-09

INFO OCT-01 EUR-12 EA-06 ISO-00 OMB-01 IO-10 EB-07 CIAE-00

DODE-00 PM-03 H-02 INR-07 L-02 NSAE-00 NSC-05 PA-01

PRS-01 SP-02 SS-15 USIA-06 /090 W

----- 106309

R 211430Z APR 75

FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 8251

INFO AMEMBASSY DACCA

AMEMBASSY ISLAMABAD

AMEMBASSY KATHMANDU

AMEMBASSY LONDON

AMEMBASSY MOSCOW

USLO PEKING

AMCONSUL CACLUTTA

MMCONSLU HONG KONG 1772

LIMITED OFFICIAL USE NEW DELHI 5359

E.O. 11652: N/A

TAGS: PINS, IN, SK

SUBJECT: SIKKIM

REF: NEW DELHI 5214

SUMMARY: THE GOI INTRODUCED A CONSTITUTIONAL AMENDMENT IN THE LOWER HOUSE OF PARLIAMENT APRIL 21 WHICH WILL HAVE THE EFFECT OF MAKING SIKKIM A FULL STATE OF THE UNION AND OF ABOLISHING THE INSTITUTION OF THE CHOGYAL. THE BILL PROVIDED FOR A GRANT OF "SPECIALRESPONSIBILITY FOR PEACE" TO A NEWLY-INSTITUTED GOVERNOR OF SIKKIM, THROUGH WHOM THE GOI CAN BE EXPECTED TO EXERCISE EFFECTIVE POLITICAL CONTROL OF THE STATE. THE BILL DOES NOT DECIDE THE FATE OF THE CHOGYAL HIMSELF WHO REMAINS IN HIS PALAIR AT GANGTOK DESPITE SUGGESTIONS FROM THE LEFT THAT HE GO INTO EXILE. END SUMMARY.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 NEW DE 05359 211635Z

1. THE GOI INTRODUCED THE SO-CALLED CONSTITUTION (THIRTY-EIGHTH AMENDMENT) BILL, 1975, MAKING SIKKIM A FULL STATE OF THE INDIAN UNION AT AN APRIL 21 SESSION OF THE LOWER HOUSE OF PARLIAMENT. AS PRESENTED BY FOREIGN MINISTER CHAVAN, THE BILL PROPOSES TO "INCLUDE SIKKIM AS A FULL-FLEDGED STATE...AND TO ALLOT TO SIKKIM ONE SEAT IN THE COUNCIL OF STATES (UPPER HOUSE) AND ONE SEAT IN THE HOUSE OF THE PEOPLE (LOWER HOUSE)..." THE BILL PROVIDES FOR A GOVERNOR AND ONCE ENACTED WILL HAVE THE EFFECT OF ABOLISHING THE HEREDITARY INSTITUTION OF THE CHOGYAL. AS A MARK OF THE GOI'S DETERMINATION TO RUSH THROUGH THE SIKKIM LEGISLATION, THE UPPER HOUSE OF PARLIAMENT IS EXPECTED TO CONVENE SEVERAL DAYS EARLIER THAN PLANNED TOWARDS THE END OF THIS WEEK TO APPROVE THE BILL ONCE THE LOWER HOUSE GIVES ITS EXPECTED ASSENT.

2. THE SIKKIM BILL PROVIDES FOR THE REPLACEMENT OF THE INSTITUTION OF THE CHOGYAL BY A GOVERNOR TO BE APPOINTED BY THE UNION PRESIDENT JUST AS IN THE CASE OF OTHER STATE GOVERNORS. BUT BY THE TERMS OF THE BILL THE POWERS GRANTED TO THE GOVERNOR OF SIKKIM WILL BE MUCH MORE EXTENSIVE, ENSURING THAT THE GOI WILL HAVE EFFECTIVE POLITICAL CONTROL ON ANY DECISIVE ISSUE. THE PIVOTAL SENTENCE IN THE BILL READS AS FOLLOWS: " THE GOVERNOR OF SIKKIM SHALL HAVE SPECIAL RESPONSIBILITY FOR PEACE AND FOR AN EQUITABLE ARRANGEMENT FOR ENSURING THE SOCIAL AND ECONOMIC ADVANCEMENT OF DIFFERENT SECTIONS OF THE POPULATION OF SIKKIM AND, IN THE DISCHARGE OF HIS SPECIAL RESPONSIBILITY UNDER THIS CLAUSE, THE GOVERNOR OF SIKKIM SHALL, SUBJECT TO SUCH DIRECTIONS AS THE PRESIDENT MAY, FROM TIME TO TIME, DEEM FIT TO ISSUE, ACT IN HIS DISCRETION..." THE GRANT OF A "SPECIAL RESPONSIBILITY FOR PEACE" TO THE GOVERNOR OF SIKKIM IS ESSENTIALLY UNIQUE IN TERMS OF GRANTS TO INDIAN STATE GOVERNORS, AND APPEARS SOMEWHAT ANALOGOUS TO THE GRANT OF RESPONSIBILITY TO THE GOVERNOR OF NAGALAND FOR MATTERS "IN RESPECT TO LAW AND ORDER". HOWEVER, THE GRANT OF SPECIAL RESPONSIBILITY TO THE SIKKIM GOVERNOR APPEARS TO RUN INDEFINITELY, WHEREAS THE GOVERNOR OF NAGALAND HAS SUCH RESPONSIBILITY ONLY SO LONG AS IN HIS OPINION INTERNAL DISTURBANCES ARE OCCURRING IN HIS TERRITORY.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 NEW DE 05359 211635Z

ACCORDING TO A WIRE SERVICE REPORT, A SOCIALIST MEMBER CRITICIZED THIS PROVISION OF THE BILL IN PARLIAMENT APRIL 21, SAYING THAT THE GOI WANTED TO HAVE SIKKIM AS ITS COLONY, BUT HE WAS REBUTTED BY FOREIGN MINISTER CHAVAN WHO EXPLAINED THAT THE PROVISION WAS NECESSARY TO MEET ANY "EXTRAORDINARY SITUATION" SUCH AS HAS BEEN KNOWN TO ARISE IN SIKKIMESE HISTORY. CHAVAN REPORTEDLY ADDED THAT A GOVERNOR'S DECISION PURSUANT TO THIS SPECIAL RESPONSIBILITY WOULD BE SUBJECT

TO DISCUSSION IN THE PARLIAMENT.

3. THE INDIAN PARLIAMENT AND PRESS CAN BE EXPECTED TO SCRUTINIZE THE BILL CLOSELY IN THE NEXT FEW DAYS. AMONG OTHER FEATURES IN THE BILL WHICH MAY DRAW COMMENT ARE SPECIAL SAFEGUARDS TO PROTECT THE MINORITY LEPCHA-BHUTIA COMMUNITY BY VESTING IN THE CENTRAL PARLIAMENT THE POWER TO DELIMIT SIKKIM ASSEMBLY CONSTITUENCIES AND TO APPORTION SEATS ON AN ETHNIC BASIS WITHIN THE SIKKIM ASSEMBLY. (BY THIS PROVISION, THE GOI MAY BE BETRAYING ITS OWN CONCERN ABOUT A FUTURE EXCESSIVE CONCENTRATION OF SIKKIM ASSEMBLY POWER IN NEPALESE HANDS). WHILE THE BILL ITSELF DOES NOT DECIDE THE FATE OF THE CHOGYAL, IT DOES STATE THAT ALL PROPERTY AND ASSETS (WITHIN OR OUTSIDE SIKKIM) WHICH WERE VESTED IN THE GOVERNMENT OF SIKKIM OR "ANY OTHER AUTHORITY OF IN ANY PERSON FOR THE PURPOSES OF THE GOVERNMENT OF SIKKIM" SHALL VEST IN THE GOVERNMENT OF THE STATE OF SIKKIM.

4. IN NON-LEGISLATIVE DEVELOPMENTS IN THEH AST FEW DAYS. COMMUNIST PARTY OF INDIA PUBLICATIONS CONTINUE TO PLAY UP THE CHOGYAL'S ALLEGED LINKS ABROAD, ESPECIALLY WITH THE U.S. AND CHINA (NEW DELHI 4994). THE CHOGYAL IS ACCUSED IN THE APRIL 21 PATRIOT (CPI DAILY) OF HAVING TRANSMITTED MESSAGES TO HIS AIDE S.S. RAFELLLY IN KATHMANDU IN ORDER TO ELICIT THE RESULTS OF RASAILLY'S TALKS AT THE AMERICAN AND CHINESE EMBASSIES THERE (NEW DELHI 5120). THE PATRIOT EARLIER (APRIL 18) CHARGED THAT THE CHOGYAL'S CONTROVERSIAL TRANSMITTER WAS "FITTED" AT THE GANGTOK PALACE BY "TWO AMERICANS" AND THAT CALCUTTA CONSOFF BURLEIGH'S VISITS TO SIKKIM WERE TO BE "RECALLED IN THIS CONNECTION". THE CPI WEEKLY NEW AGE CHIMED IN APRIL 20 LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 04 NEW DE 05359 211635Z

BY ALLEGING THAT THE CHOGYAL'S PALACE HAD BECOME "A RENDEZVOUS OF PLOTTERS AND WOULD-BE ASSASSINS" AFTER THE CHOGYAL'S TRIP TO THE KATHMANDU CORONATION, AND THAT HE WAS INTENDING TO INTERNATIONALIZE THE ISSUE "WITH THE HELP OF THE CHINESE AND OTHERS". THE ALLEGATIONS IN CPI MEDIA ABOUT A USG LINK WITH THE SIKKIM DEVELOPMENTS HAVE THUS FAR BEEN LARGELY IGNORED BY OTHER PUBLICATIONS HERE.

5. THE CHOGYAL EVIDENTLY REMAINS SEQUESTERED WITH HIS CLOSESE ADVISORS IN THE PALACE. JUDGING FROM REPORTS FROM GANGTOK, SOME OF HIS ENEMIES ARE CAMPAIGNING THROUGH THE INDIAN PRESS TO HAVE HIM REMOVED ALTOGETHER FROM SIKKIM. A PATRIOT CORRESPONDENT IN GANGTOUMREPORTED APRIL 20 THAT ALTHOUGH "A SECTION OF THE SIKKIM CONGRESS" AND BEEN IN FAVOR OF OFFERING THE POST OF GOVERNOR TO THE CHOGYAL, IT

HAD CHANGED ITS OPINION AFTER THE CHOGYAL'S PRESS
CONFERNECE (NEW DELHI 5050) AND NOW FELT THAT THE
ONLY COURSE WAS FOR HIM TO LEAVE. OTHERWISE, THE
"FURIOUS PEOPLE" WILL "LYNCH HIM". THE SAME CORRESPONDENT
QUOTED THE KAZI AS HAVING SAID THAT IF THE CHOGYAL LEAVES
SIKKIM VOLUNTARILY "THE GOVERNMENT OF SIKKIM MIGHT
CONSIDER SOME PENSION FOR HIM". BUT ACCORDING TO THE
SAME DESPATCH, THE LEADER OF THE SIKKIM YOUTH CONGRESS
PARTY, N.B. KHATIAWADA, LONG AT ODDS WITH THE KAZI, HAS
RELED OUT ANY PENSION FOR THE CHOGYAL BECAUSE, IN THE
DESPATCH'S LANGUAGE, THE SIKKIMESE PEOPLE ARE AWARE OF
HIS CONSPIRACIES WITH SOME FOREIGN COUNTRIES, PARTICULARLY
CHINA.
SAXBE

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CONSTITUTIONAL AMENDMENTS, FORM OF GOVERNMENT
Control Number: n/a
Copy: SINGLE
Draft Date: 21 APR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975NEWDE05359
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750139-0664
From: NEW DELHI
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750432/aaaabeaa.tel
Line Count: 183
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION NEA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 NEW DELHI 5214
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 17 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <17 JUN 2003 by izenbei0>; APPROVED <30 OCT 2003 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SIKKIM
TAGS: PINS, IN, SK
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006